

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION

WRIT PETITION NO. 5472 OF 2005

Jayant B. Deshpande .. Petitioner.

Vs.

State of Maharashtra & Ors. ..Respondents.

Mr. S.D. Rayrikar with A.M.Joshi for the Petitioner.
Mrs. J.S.Pawar, AGP for Respondents Nos. 1 & 4.
Mr. Vijay Joshi for Respondent Nos.2,3,5 & 6.

CORAM : F.I. REBELLO AND
Dr.D.Y.CHANDRACHUD, JJ.

DATED : 15TH FEBRUARY, 2006.

P.C.:

1. Rule. Heard forthwith.

2. The Petitioner claims to be senior in seniority to Respondents Nos. 5 and 6. The petitioner by a letter dated 06.12.2004 had applied to Respondent No.4 to decide the seniority. However, the respondent No.4 proceeded on the footing that the petitioner has not disputed the inter-se seniority of the other teachers and hence, hearing was not given by respondent No.4. From the fact that the petitioner is claiming to be senior to Respondents 5 and 6 would mean that he is claiming higher seniority. Considering that, the respondent No.4 is directed to hear the petitioner and

all other concerned who will be likely to be affected if the petitioner's seniority is to be altered and to dispose of the subject matter by issuing the necessary directions to the management. The entire exercise to be completed within three months from today.

3. With the above direction, the petition is disposed of with no order as to costs.

15.02.2006

(F.I.Rebello, J)

(Dr.D.Y.Chandrachud, J)

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